

1 WRIGHT, FINLAY & ZAK, LLP
2 Christina V. Miller, Esq.
3 Nevada Bar No. 12448
4 Yanxiong Li, Esq.
5 Nevada Bar No. 12807
6 7785 W. Sahara Ave., Suite 200
7 Las Vegas, NV 89117
8 (702) 475-7964; Fax: (702) 946-1345
9 cmiller@wrightlegal.net
10 yli@wrightlegal.net

11 MARK E. FERRARIO
12 Nevada Bar No. 1625

13 ALAYNE OPIE
14 Nevada Bar No. 12623

15 KYLE EWING
16 Nevada Bar No. 14051

17 **GREENBERG TRAURIG, LLP**

18 10845 Griffith Peak Drive, Suite 600

19 Las Vegas, Nevada 89135

20 Telephone: (702) 792-3773

21 Facsimile: (702) 792-9002

22 Email: ferrariom@gtlaw.com miltenbergerc@gtlaw.com

23 opiea@gtlaw.com

24 ewingk@gtlaw.com

25 *Attorneys for Plaintiff, McDonald's Corporation*

26
27 **UNITED STATES DISTRICT COURT**
28 **DISTRICT OF NEVADA**

MCDONALD'S CORPORATION,

Plaintiff,

vs.

CIRCA HOSPITALITY GROUP II LLC D/B/A
THE D LAS VEGAS,

Defendant.

Case No.:2:23-cv-00384-JCM-EJY

**STIPULATION AND ORDER TO
EXTEND BRIEFING SCHEDULE**

(FOURTH REQUEST)

Plaintiff, McDonald's Corporation ("McDonald's") and Defendant Circa Hospitality
Group II LLC d/b/a The D Las Vegas ("The D" and together with McDonald's, hereafter as the

“Parties”) hereby stipulate and agree that McDonald’s shall have an additional thirty (30) days from the current deadline of June 23, 2023, up to and including July 24, 2023,¹ to respond to The D’s Motion to Dismiss [ECF No. 22]. Parties further stipulate and agree that any reply in support of said Motion to Dismiss The D desires to file shall be due by July 31, 2023.

As previously reported, the Parties have been and continues to be engaged in good faith settlement discussions through an exchange of correspondences detailing circumstances surrounding the alleged defaults, related investigations, remedial measures taken and proposing a path forward in their continuing business relations. The Parties have also agreed to a meeting involving their respective management to finalize discussion initiated through these correspondences and to confer on terms of a proposed stipulation for dismissal of this action. The Parties are in the process of confirming availability for their respective management and targeting to complete the agreed-upon meeting during the week of July 17, 2023.

Thus, the Parties request an additional extension of the current deadlines associated with The D’s Motion to Dismiss to complete their good faith settlement discussions, success of which will preclude the need to proceed with motion practice and litigation of this case. This is the parties’ fourth request for an extension of this deadline, and is not submitted to cause any undue delay or prejudice.

IT IS SO STIPULATED.

DATED this 23rd day of June, 2023.

DICKENSON WRIGHT PLLC

/s/ Kerry E. Kleiman

Cynthia L. Alexander, Esq.

Nevada Bar No. 6718

Kerry E. Kleiman, Esq.

Nevada Bar No. 14071

3883 Howard Hughes Pkwy., Ste. 800

Las Vegas, NV 89169

DATED this 23rd day of June, 2023.

WRIGHT, FINLAY & ZAK, LLP

/s/ Yanxiong Li

Christina V. Miller, Esq.

Nevada Bar No. 12448

Yanxiong Li, Esq.

Nevada Bar No. 12807

7785 W. Sahara Ave., Suite 200

Las Vegas, NV 89117

¹ Last day of the agreed-upon extended period falls on Sunday, July 23, 2023.

1 *Attorneys for Defendant, Circa*
2 *Hospitality Group II LLC d/b/a The D*
3 *Las Vegas*

MARK E. FERRARIO
Nevada Bar No. 1625
ALAYNE OPIE
Nevada Bar No. 12623
KYLE EWING
Nevada Bar No. 14051
GREENBERG TRAURIG, LLP
10845 Griffith Peak Drive, Suite 600
Las Vegas, Nevada 89135

Attorneys for Plaintiff McDonald's Corporation

8 **IT IS SO ORDERED.**

9 Dated June 26, 2023.

10 
11 _____
UNITED STATES DISTRICT JUDGE